

Message Text

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TO AMEMBASSY PRETORIA

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E.O. 11652:N/A

TAGS: PDIP

SUBJECT: PRIVILEGES AND IMMUNITIES

REF: PRETORIA 0138, 0561

1. NONDIPLOMATIC STAFF MEMBERS OF SOUTH AFRICAN EMBASSY
AND EMPLOYEES OF CONSULAR OFFICES, OTHER THAN U.S. CITIZENS
OR PERMANENT RESIDENTS, ARE, ON BASIS OF RECIPROCITY,

ACCORDED FREE ENTRY FOR PERSONAL AND HOUSEHOLD EFFECTS AND
AN AUTOMOBILE IMPORTED WITHIN SIX MONTHS OF ARRIVAL TO TAKE
UP DUTIES.

2. MEMBERS OF EMBASSY'S ADMINISTRATIVE AND TECHNICAL STAFF
AND FAMILY MEMBERS (NOT AMERICANS OR PERMANENT RESIDENTS)
ARE EXEMPT FROM D.C. AND VIRGINIA SALES TAXES AND RECEIVE
GRATIS D.C. AND VIRGINIA AUTOMOBILE REGISTRATION AND
OPERATOR PERMITS. MARYLAND ACCORDS FREE AUTOMOBILE
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REGISTRATION BUT DOES NOT PRESENTLY ISSUE FREE PERMITS.
MARYLAND EXTENDS EXEMPTION FROM ITS SALES TAX ON TREATY
BASIS, AND SINCE SOUTH AFRICA IS NOT PARTY TO VIENNA
CONVENTION ON DIPLOMATIC RELATIONS, NONDIPLOMATIC MISSION
PERSONNEL DO NOT ENJOY EXEMPTION. HOWEVER, STAFF PERSONNEL
LIVING IN MARYLAND ARE FREE TO SHOP IN D.C. AND VIRGINIA
AND AVOID SALES TAXES IN THOSE JURISDICTIONS.

3. SOUTH AFRICAN NATIONAL EMPLOYEES OF THE EMBASSY ARE EXEMPT FROM THE FOUR CENT PER GALLON FEDERAL GASOLINE TAX, WHICH IS IMPOSED ON THE MANUFACTURER OR IMPORTER AND INCORPORATED IN THE PRICE OF THE PRODUCT, BY GRATUITOUS IRS RULING. CONSULAR PERSONNEL ARE NOT EXEMPT FROM THIS TAX. WHILE THE D.C. ON A COURTESY BASIS EXTENDS EXEMPTION FROM ITS INDIRECT GASOLINE TAX (TEN CENTS A GALLON) TO DIPLOMATIC OFFICERS, MARYLAND AND VIRGINIA GRANT NO EXEMPTIONS FROM THEIR INDIRECT GASOLINE TAXES.

4. THE STATE OF NEW YORK FOLLOWS SAME POLICY AS MARYLAND RE EXEMPTION FROM ITS SALES TAX AND FROM ITS DIRECT GASOLINE TAX AND SOUTH AFRICAN CONSULAR EMPLOYEES DO NOT THEREFORE ENJOY EXEMPTION. CALIFORNIA DOES NOT PRESENTLY EXEMPT ANY CONSULAR PERSONNEL FROM ITS SALES TAX ALTHOUGH AS RESULT OF DEPARTMENT'S INITIATIVE THE MATTER IS UNDER CONSIDERATION. IN LOUISIANA, THE ONLY OTHER STATE WHERE A SOUTH AFRICAN CONSULAR OFFICE HEADED BY A CAREER OFFICER IS LOCATED, SALES TAX EXEMPTIONS PROVIDED BY THE VIENNA CONVENTION ON CONSULAR RELATIONS ARE ACCORDED.

5. ALTHOUGH MANY STATES EXTEND GRATIS AUTOMOBILE REGISTRATION TO RECOGNIZED CONSULAR OFFICERS, THIS PRIVILEGE IS NOT NORMALLY ACCORDED TO CONSULAR EMPLOYEES.

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